Our Docket No.: 42P16889

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Richard D. Emery Application No: 10/608,718

Art Unit:

Examiner:

2814

Nguyen, Dilinh P.

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APR 0 5 2005

Filed: June 27, 2003

For: Fabrication of Microelectronic Devices)

AMENDMENT AND RESPONSE

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Sir or Madam:

In response to the Final Office Action mailed January 25, 2005, the Applicant respectfully requests the Examiner to consider the following remarks.

FIRST CLASS CERTIFICATE OF FACSIMILE

-1-

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Docket No: 42P16889 Application No.: 10/608,718

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TELEPHONE: (503) 439-8778

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| Fac | | Dilinh P. Nguyen, USPTO 703-872-9306 | Art Group:2814 Date: April 5, 2005 | | | | | |
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| | From: | Mark C. Van Ness, Reg. No. 39 | ,865 | | | | | |
| Our | Docket No.: | 42P16889 | Number of pages 16_including this sheet. | | | | | |
| Appl | lication No.: | 10/608,718 | Filing Date: 6/27/2003 | | | | | |
| Enclo | | following documents: | Docket Due Date(s): 3/25/2005 4/25/2005 | | | | | |
| × | | After_Final (_12_pgs) | ☐ Issue Fee Transmittal | | | | | |
| | Appeal Brief | (pgs) | ☐ Notice of Appeal | | | | | |
| | Application: _ | | Petition for: | | | | | |
| | (| pgs) w/cover & abstract) | ☐ Request for Continued Examination (RCE) | | | | | |
| | Assignment 8 | Cover Sheet (pgs) | Reply Brief (pgs) | | | | | |
| X | | Facsimile Request & Certification Under 35 USC 122(b)(2)(B)(I) | | | | | | |
| | | osecution Application (CPA) | ☐ Request to Rescind Previous Nonpublication Request | | | | | |
| | | POA (pgs) | ☐ Response to Notice of Missing Parts & Formalities Letter | | | | | |
| | | sheets, figures | ☐ Response to Written Opinion (pgs) | | | | | |
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| X | | tal (in duplicate) | ☐ Transmittal of Publication Fee Due | | | | | |
| | | B/08 (pgs) | ☐ Transmittal Letter | | | | | |
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| TRANS | MITTAL F | ORM | Application No. | 10/60 | 08,718 | | | | |
|--|-------------------------------|--|----------------------|----------|---|--|--|--|--|
| 1 | | | Filing Date | June | June 27, 2003 | | | | |
| (to be asea for all | correspondence afte | er initial filing) | First Named Inventor | Richa | Richard D. Emery | | | | |
| | | | Art Unit | 2814 | | | | | |
| | | | Examiner Name | Dilin | h P. Nguyen | | | | |
| Total Number of F | Pages in This Submiss | ion 16 | Attorney Docket Numb | er 42P1 | 6889 | | | | |
| ENCLOSURES (check all that apply) | | | | | | | | | |
| Fee Transmittal | Form | Drawing(s) | | | After Allowance Communication to Group | | | | |
| Fee Attac | hed | Licensing-related Papers | | | Appeal Communication to Board of Appeals and Interferences | | | | |
| Amendment / Re | esponse | Petition | | | Appeal Communication to Group (Appeal Notice, Brief, Repty Brief) | | | | |
| After Final | l declaration(s) | Petition to Convert a Provisional Application | | | Proprietary Information | | | | |
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| Decla | ration/POA | | | | | | | | |
| Response Parts unde 1.52 or 1.5 | to Missing er 37 CFR 53 | | | | | | | | |
| | SIGNATURE | OF APPLICAN | IT, ATTORNEY, OR | GENT | | | | | |
| Firm | Mark C. Van No | ess, Reg. No. 3 | 9.865 | | | | | | |
| or Individual name | or | | | | | | | | |
| Signature BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP | | | | | | | | | |
| | | | | | | | | | |
| Date April 5, 2005 | | | | | | | | | |
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| Signature | mni | 12 | | Date | April 5, 2005 | | | | |

Based on PTC/SB/21 (04-04) as modified by Blakely, Solokoff, Taylor & Zalman (w/r) 06/04/2004. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

| FEE TRANSMITTAL | | | | | Complete If Known | | | | | |
|--|-----------|------------------|-----------|---|--|-----------------------|---------------------------|-----------------------|--|--|
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| | | r FY | | | Filing Date | Ju | ne 27, 2003 | | | |
| | | s are subject to | | | First Named Inve | entor Ri | chard D. Emery | | | |
| Applicant of | claims si | mali entity s | tatus. S | 99 37 CFR 1.27. | Examiner Name | | linh P. Ngu | yen | | |
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| 421 10867 | | | | | | | | | | |
| METHOD OF PAYMENT (check all that apply) | | | | | | | | | | |
| ☐ Check ☐ Credit card ☐ Money Order ☒ None ☐ Other (please identify): ☐ Deposit Account Deposit Account Number: 02-2666 ☐ Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP | | | | | | | | | | |
| For the above-identified deposit account, the Director is hereby authorized to: (check all that apply) | | | | | | | | | | |
| Charg | e fee(s |) indicated | l below | oung the Director is in | Charge | fee(s) indicated | at appry) below excent | t for the filing fee | | |
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| 1051 | 130 | 2051 | 65 | Surcharge - late | filing fee or | oath | | | | |
| 1052 | 50 | 2052 | 25 | Surcharge - late provisional filing fee or cover sheet. | | | | | | |
| 2053 | 130 | 2053 | | Non-English specification | | | | | | |
| 1251 | 120 | 2251 | | | Extension for reply within first month | | | | | |
| 1252 | 450 | 2252 | | Extension for reply within second month | | | | | | |
| 1253 | 1,020 | 2253 | | | | | | | | |
| 1254 | 1,590 | 2254 | | Extension for reply within fourth month | | | | | | |
| 1255 | 2,160 | 2255 | | | Extension for reply within fifth month | | | | | |
| 1401 | 500 | 2401 | | Notice of Appeal | | | | | | |
| 1402 | 500 | 2402 | 250 | Filing a brief in support of an appeal | | | | | | |
| 1403 | 1,000 | 2403 | | 500 Request for oral hearing | | | | | | |
| 1451 | 1,510 | 2451 | | Petition to institute a public use proceeding | | | | | | |
| 1460 | 130 | 2460 | | Petitions to the Commissioner | | | | | | |
| 1807 | 50 | 1 | | | | | | | | |
| 1806 | 180 | 1806 | | Submission of Ir | | , -, | nt | | | |
| 1809 | 790 | 1809 | | | | | | | | |
| 1810 | 790 | 2810 | 395 | For each addition | al invention to | be examined | (37 CFR § 1 | .129(b)) | | |
| Other fee (specify) | | | | | | | | | | |
| SUBTOTAL (2) | | | | | | | | | | |
| SUBMITTED BY Complete (if applicable) | | | | | | | | | | |
| Nome (place) | | | | | Registration No. (Attorney/Agent) | 39,865 | Telephone | (503) 439-8778 | | |
| Signature MIIII | | | | | 1/1/ | <u> </u> | Date | 04/05/05 | | |

Based on PTO/SB/17 (12-04) as modified by Blakery, Schokoff, Toylor & Zatman (wir) 12/16/2004. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

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| | foi | rFY | 200 | 5 | Application Numl | | 10/608,718 | | | |
| i , | | are subject to | _ | = | Filing Date First Named inve | | ne 27, 2003 | | | |
| <u> </u> | | | | ee 37 CFR 1.27. | Examiner Name | | ichard D. Emery ilinh P. Nguyen | | | |
| | | | | | Art Unit | 281 | | | | |
| TOTAL AMO | UNTO | FPAYMEN | IT | (\$) | Attorney Docket | No. 42P | 16889 | | | |
| METHOD OF PAYMENT (check all that apply) | | | | | | | | | | |
| ☐ Check ☐ Credit card ☐ Money Order ☒ None ☐ Other (please identify): | | | | | | | | | | |
| Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP | | | | | | | | | | |
| For the abo | ve-ide | ntified dep | osit acc | count, the Director is h | ereby authorized | l to: (check all tha | t apply) | ··· | | |
| ☐ Charg | e fee(s) |) indicated | l below | | ☐ Charge | fee(s) indicated b | elow, except | for the filing fee | | |
| Charge | e any a | dditional | fee(s) or | underpayment of fee(| (s) 🔲 Credit a | any overpayments | ; | | | |
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| FEE CALCULA | TION | | | | | | | <u> </u> | | |
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| 1051 | 130 | 2051 | 65 | Surcharge - late | filing fee or | oath | | | | |
| 1052 | 50 | 2052 | 25 | Surcharge - late | Surcharge - late provisional filing fee or cover sheet. | | | | | |
| 2053 | 130 | 2053 | 130 | | Non-English specification | | | | | |
| 1251 | 120 | 2251 | 60 | | Extension for reply within first month | | | | | |
| 1252 | 450 | 2252 | 225 | Extension for reply within second month | | | | | | |
| 1253 1 | 1,020 | 2253 | | Extension for reply within third month | | | | | | |
| 1254 1 | ,590 | 2254 | | | Extension for reply within fourth month | | | | | |
| 1255 2 | 2,160 | 2255 | | Extension for reply within fifth month | | | | | | |
| 1401 | 500 | 2401 | | Notice of Appeal | | | | | | |
| 1402 | 500 | 2402 | | Filing a brief in support of an appeal | | | | | | |
| 1403 1 | ,000 | 2403 | | Request for oral hearing | | | | | | |
| 1451 1 | ,510 | 2451 | | Petition to institute a public use proceeding | | | | | | |
| 1460 | 130 | 2460 | | Petitions to the Commissioner | | | | | | |
| . 1807 | 50 | 1807 | | Processing fee under 37 CFR 1.17(q) | | | | | | |
| 1806 | 180 | 1806 | | Submission of Information Disclosure Stmt | | | | | | |
| 1809 | 790 | 1809 | | | | | | ,, | | |
| 1810 | 1 ming a dustinusion after intal rejection (37 CFR § 1. (29(a)) | | | | | | | | | |
| 1 of oddit doditional invention to be examined (57 CFR § 1.129(D)) | | | | | | | | | | |
| Other fee (specify) | | | | | | | | | | |
| SUBTOTAL (2) (\$) | | | | | | | | | | |
| SUBMITTED BY Complete (if applicable) | | | | | | | | | | |
| Name (Print/Type) | Mari | k C. Van | Ness | | Registration No. (Attorney/Agent) | 39,865 | Telephone | (503) 439-8778 | | |
| Signature | | | 111 | 1/1/1/1 | 1/1/ | | 0-4- | 04/05/05 | | |